



CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date 03/23/00

Agenda Item 1

TO: Planning Commission

FROM: Philip W. Block, Associate Planner

SUBJECT: Use Permit UP 00-160-04 – Alex Bailey Representing the Institute of Divine Metaphysical Research (Applicant), Loube, et. al. (Owner) – Adoption of Findings in Support of a Religious Facility and Review of Conditions Under Which the Applicant May Operate the Religious Facility Within an 1,800 Square Feet Space in the Vermont Plaza Shopping Center at 22636 Vermont Street.

RECOMMENDATION:

It is recommended that the Planning Commission adopt the attached findings and conditions of approval and approve the issuance of a 3-year use permit for the proposed religious facility.

DISCUSSION:

At its March 9, 2000, meeting, the Planning Commission adopted a motion indicating a willingness to approve a 3-year use permit for a religious facility within the Vermont Plaza shopping center and directed staff to prepare findings and conditions for approval, which are attached. The conditions reflect standard conditions for development in Hayward, as well as a site-specific condition. The site-specific condition relates to a time limitation.

Prepared by:

A handwritten signature in cursive script that reads "Philip W. Block".

Philip W. Block, AICP
Associate Planner

Recommended by:

A handwritten signature in cursive script that reads "Dyana Anderly".

Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Findings for Approval
- B. Conditions of Approval

FINDINGS FOR APPROVAL

Use Permit 00-160-04

Institute of Divine Metaphysical Research (Applicant)

Loube, et al (Owner)

1. The proposed project is defined as a project under parameters set forth in the California Environmental Quality Act (CEQA) Guidelines; however, it qualifies for a Categorical Exemption under Section 15301. Class 1 (C) Existing Facilities.
2. The proposed use is consistent with the character and integrity of the CN (Neighborhood Commercial) Zoning District and would not impair the Vermont Plaza Shopping Center from progressing toward becoming a viable neighborhood shopping center because the use may attract persons who will patronize the businesses at the shopping center.
3. The proposed use is consistent with the General Plan and Upper B Street Neighborhood Plan and the public welfare; in that it provides additional educational activities and opportunities for Bible study to this neighborhood.
4. Because Vermont Plaza has had vacancies for some time and the proposed religious facility use of the premises for three years is for a limited amount of time, the Upper B Street Neighborhood will not be deprived of potential businesses and services that would provide public convenience and welfare.

CONDITIONS OF APPROVAL

UP 00-160-04

Institute of Divine Metaphysical Research (IDMR)
Vermont Plaza Shopping Center
22636 Vermont Street

GENERAL

1. UP 00-160-04 is approved subject to the specific conditions listed below. This permit becomes void on March 23, 2001, unless prior to that time an occupancy permit has been granted, a building permit application has been accepted for processing by the Building Official, or a time extension of this Use Permit is approved.
2. All signs shall be submitted to City staff to determine compliance with the City's sign standards, including the necessity of a sign permit.
3. The property owner shall maintain in good repair all building exteriors, walls, lighting, landscaping trash enclosures, drainage facilities, driveways and parking areas. The premises shall be kept clean and any graffiti shall be painted or removed within seven days of occurrence.
4. All applicable building or other City Code requirements shall be met.

FIRE DEPARTMENT

5. A building survey inspection is required.
6. Fire sprinkler system is not required; however, the tenant space is required to meet UFC Article 25 for places of assembly, including the following:
 - Exit signage shall be self-illuminated and installed at all exit doors.
 - All exit doors shall have panic hardware.
 - Aisle widths shall meet the Fire Code for fixed and/or non-fixed seating.
 - Post an occupant load sign at an approved location.
 - All decorative materials shall be flame treated and a certificate of flame resistive treatment shall be forwarded to the Fire Department prior to occupancy.
 - An annual permit for places of assembly is required prior to occupancy.

TIME LIMITATION

7. This Use Permit approval is for a three year period which expires on March 23, 2003. If the applicant wishes to have the Use Permit extended, a written request must be submitted at least three months prior to March 23, 2003. The Planning Commission will consider how well the applicant and property owner have met the Conditions of Approval as well as the needs of the neighborhood and Vermont Plaza Shopping Center.